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STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



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DIRECTOR

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Ms. Shari Kolak, Remedial Project Manager
United States Environmental Protection Agency
Superfund Division
Region 5
77 West Jackson Boulevard (SR-6J)
Chicago, Illinois 60604-3590

EPA Region 5 Records Ctr.



Dear Ms. Kolak:

SUBJECT: Comments on the Proposed Cleanup Plan for the Willow Boulevard/A-Site
Landfills of the Allied Paper, Inc. /Portage Creek/Kalamazoo River Site

Thank you for the opportunity to comment on the proposed cleanup plan for the Willow Boulevard/A-Site landfills of the Allied Paper, Inc. /Portage Creek/Kalamazoo River site. The purpose of this letter is to provide the United States Environmental Protection Agency (USEPA) with the comments of the Kalamazoo River Trustee Council for Natural Resource Damage Assessment and Restoration (NRDAR). The Trustee Council (Trustees) consists of the Michigan Departments of Environmental Quality and Natural Resources, the Michigan Attorney General, the United States Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration.

The goals of the NRDAR are to restore habitats and resources to the condition they would have been in had the release of hazardous substances not occurred and to compensate the public for the interim lost services that would have been provided by natural resources until such time as restoration to baseline was achieved. The USEPA's proposed alternatives for the Willow Boulevard/A-Site landfills, as described in the USEPA's July 2005 fact sheet, differ in the amounts of mitigation, restoration, and compensation (collectively referred to as "restoration" for the purposes of this letter) necessary to achieve these goals and reach a complete resolution of liability for these landfills. In the following paragraphs, the Trustees describe the relative amounts and types of restoration necessary to accompany each alternative and propose different combinations of some of the elements of the proposed alternatives that may minimize the total cost of remediation and restoration as a whole.

The proposal presented in Alternative 3 to remove the hazardous substances from the flood plain of the Kalamazoo River allows for complete on-site restoration to baseline and would maximize the long-term effectiveness of protecting natural resources from exposure to hazardous substances, assuming that the ultimate disposal area would be adequately designed and maintained. Alternative 3 does not address the NRDAR goal of compensating for the years of lost flood plain functions that have occurred since hazardous substances were released at the site and will continue to occur until the remediation planned under this alternative is completed. This, however, is an issue that will need to be resolved between the potentially responsible parties (PRPs) and the Trustees. Alternative 3 requires less compensatory restoration than any of the other alternatives described.

Alternative 2C, the USEPA's preferred cleanup alternative, provides for restoration of the shoreline functions for the Willow landfill portion of the site, but makes the diminished shoreline functions of the A-Site sheet pile section a permanent part of the remedy. To meet NRDAR goals, the lost shoreline functions of the A-Site section would need to be addressed. In addition, the permanent presence of a landfill in the flood plain to contain the released hazardous substances represents an ongoing loss of flood plain functions to the Kalamazoo River. The Trustees and the PRPs would need to address these losses, in addition to the interim losses from prior years of lost flood plain functions that are identified above with Alternative 3.

Alternative 2B appears to allow for restoration of at least some shoreline functions for both the Willow landfill and A-Site portions of the site. Should the USEPA select this alternative, the Trustees would be happy to work with the USEPA to develop details of the protective buffer and dike stabilization techniques so as to maximize the integration of restoration of shoreline and flood plain functions into this remedy alternative. To meet NRDAR goals, restored shoreline functions could potentially be incorporated into this alternative, but the past and ongoing loss of flood plain functions would still need to be addressed.

Alternative 4 allows for complete on-site restoration to baseline for the Willow landfill portion of the site, but makes the diminished shoreline functions of the A-Site sheet pile section a permanent part of the remedy. To meet NRDAR goals, the lost shoreline functions and the permanent presence of a landfill in the flood plain of the A-Site section would need to be addressed. The Trustees would need to resolve these losses with the PRPs, in addition to the interim losses from prior years of lost flood plain functions that are also associated with Alternative 3. The Trustees value on-site restoration more highly than off-site restoration.

The Trustees propose an Alternative 5 that combines elements of several of the USEPA's alternatives with the goal of maximizing the cost-effectiveness of an integrated approach to remediation and restoration. Alternative 5 involves removing all polychlorinated biphenyl (PCB)-contaminated materials from Willow Boulevard and placing the material into the A-Site. Contaminated areas near the landfills will be excavated and the contaminated material also placed into the A-Site. Waste at the A-Site will be pulled back to create a protective buffer, and

Summary of NRDAR Considerations for the Proposed Alternatives

NRDAR Losses Need to be Addressed	Alternative 2B		Alternative 2C		Alternative 3		Alternative 4		Alternative 5	
	A-Site	Willow	A-Site	Willow	A-Site	Willow	A-Site	Willow	A-Site	Willow
Landfill in Flood Plain- Interim Losses	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Landfill in Flood Plain- Post-cleanup Losses	Yes – possibly decreased	Yes – possibly decreased	Yes	Yes – possibly decreased	No	No	Yes – possibly increased	No	Yes – possibly decreased	No
Shoreline Function – Interim Losses	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Shoreline Losses – Post- cleanup Losses	Maybe	Maybe	Yes	No	No	No	Yes	No	No	No

the sheet piling will be removed from the shoreline. The dike for the A-Site will be constructed using appropriate soils and native vegetation. The mitigation plan for the former Willow Boulevard site required in the Record of Decision will incorporate gradual grading, seeding, and planting of native vegetation, and the placement of large woody debris or other structures to benefit fish. This alternative results in a smaller, permanent footprint for landfills in the flood plain and reduces the amount of off-site flood plain and shoreline functions that the Trustees would need for compensation relative to Alternatives 2 and 4, with an expected total cost significantly less than Alternative 3.

The Trustees believe that the approach proposed in Alternative 2 for addressing possible groundwater contamination of the Kalamazoo River could be improved by incorporating the groundwater monitoring and evaluation into the remedial design for this alternative. Groundwater as a source of PCBs to the Kalamazoo River should be eliminated in this remedy to allow the restoration of the river system as a whole to proceed in a timely fashion. In addition, eliminating groundwater sources now will prevent the need for later disturbance and construction in this area that could further delay or set back restoration of natural resources to baseline conditions and necessitate additional compensatory restoration.

The Trustees appreciate the opportunity to comment on this proposed plan. We look forward to working with the USEPA to address these issues as part of an integrated effort to protect the public, and protect and restore the Kalamazoo River environment for the long-term benefit of the public. Resolution of both response and restoration liability through a global settlement will reduce overall costs and expedite restoration of ecological functions and associated service relative to separate and sequential actions.

Please feel free to contact me, the Trustees' Lead Administrative Trustee, at the number below or at gappj@michigan.gov.

Sincerely,



Judith Gapp
Lead Administrative Trustee
Kalamazoo River Environment Trustee Council
Remediation and Redevelopment Division
517-373-7402

cc: Mr. Paul Motney, Georgia-Pacific Corporation
Ms. Renita Ford, United States Department of Justice